

1 PHILLIP A. TALBERT  
2 United States Attorney  
3 MATHEW W. PILE, WSBA 32245  
Associate General Counsel  
4 Office of Program Litigation, Office 7  
ELIZABETH LANDGRAF, CA 313184  
5 Special Assistant United States Attorney  
Social Security Administration  
6 160 Spear Street, Suite 800  
San Francisco, CA 94105  
Telephone: (510) 970-4828  
Facsimile: (415) 744-0134  
7 Elizabeth.Landgraf@ssa.gov  
Attorneys for Defendant

8

9

10 UNITED STATES DISTRICT COURT  
11 EASTERN DISTRICT OF CALIFORNIA  
12 FRESNO DIVISION

13

14 SAUL JAMES MORALES,  
15 Plaintiff,  
16 v.  
17 KILOLO KIJAKAZI,  
18 Acting Commissioner of Social Security,  
19 Defendant.

20

21 Case No. 1:21-cv-01493-DAD-GSA

22

23 STIPULATION TO VOLUNTARY REMAND  
PURSUANT TO 42 U.S.C. SECTION 405(g)  
SENTENCE FOUR AND TO ENTRY OF  
JUDGMENT; ORDER

24

25

26 IT IS HEREBY STIPULATED by and between the parties, through their undersigned  
attorneys, and with the approval of the Court, that the Commissioner of Social Security has agreed  
to a voluntary remand of this case pursuant to sentence four of 42 U.S.C. § 405(g). The purpose of  
the remand is to offer Plaintiff a new decision.

27 On remand, the Commissioner will further develop the record as necessary and issue a new  
28 decision. The parties further request that the Clerk of the Court be directed to enter a final judgment

1 in favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.  
2

3 DATE: December 13, 2022

*/s/ Jonathan O. Pena\**

JONATHAN O. PENA

Pena & Bromberg, Attorneys at Law

Attorney for Plaintiff

\*Authorized via e-mail on December 13, 2022

6 PHILLIP A. TALBERT  
7 United States Attorney

8 MATHEW W. PILE  
Associate General Counsel

Office of Program Litigation, Office 7

Social Security Administration

10 DATE: December 13, 2022

By: */s/ Elizabeth Landgraf*

ELIZABETH LANDGRAF

Special Assistant United States Attorney

12 Attorneys for Defendant

14 **ORDER**

15 Based upon the parties' Stipulation to Voluntary Remand Pursuant to Sentence Four of  
16  
17 42 U.S.C. § 405(g) and to Entry of Judgment, IT IS ORDERED that the above-captioned action is  
remanded to the Commissioner of Social Security for further proceedings pursuant to the Social  
18 Security Act § 205(g), as amended, 42 U.S.C. § 405(g), sentence four. On remand, the Appeals  
19 Council will remand the case to an administrative law judge for a new decision in accordance  
20 with the parties' Stipulation.

21 The clerk of the Court shall enter judgment for Plaintiff and close the case.

22  
IT IS SO ORDERED.

24 Dated: December 13, 2022

*/s/ Gary S. Austin*  
UNITED STATES MAGISTRATE JUDGE